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PTO/SB/21 (04-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/624,939
	Filing Date	7/22/2003
	First Named Inventor	Arteaga, et al.
	Art Unit	2153
	Examiner Name	TBA
Total Number of Pages in This Submission	Attorney Docket Number	040922.008

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input checked="" type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Return Postcard and Petition Fee in the Amount of \$130</b>
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Eric J. Hanson, Reg. No. 44,738
Signature	
Date	May 24, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Bess K. Murray		
Signature		Date	May 24, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IFW \$ DAE

Dkt. No.: 040922.008

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	ARTEAGA, Carlos et al.	)	
Petitioner:	Abaco, Inc. (Assignee)	)	
		)	
Serial No.:	10/624,939	)	Group Art Unit: 2153
		)	
Filed:	July 22, 2003	)	Examiner: To Be Assigned
		)	
For:	System and Method for Transfer,	)	
	Control, and Synchronization of Data	)	

**PETITION UNDER 37 CFR § 1.47**  
**REGARDING NON-SIGNING INVENTORS**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Petitioner respectfully requests under 35 U.S.C §116 and 37 C.F.R. §1.47(a) that the above-identified application be accepted on behalf of joint inventors Jose Mendez and Pedro Rivera on behalf of themselves and on behalf of joint inventors Carlos Arteaga, Marcos Mendez, Alberto Diaz, and Kipchoge Fergusson who cannot be found or reached after diligent effort.

Petitioner submits herewith a check in the amount of \$130.00 for the petition fee set forth in 37 C.F.R. §1.17(h).

All joint inventors, excepting Messrs. Arteaga, Mendez, Diaz, and Fergusson, have made a declaration on their own behalf as required by 37 C.F.R. §1.63 and have made a declaration on behalf of the non-signing joint inventors as required by 37 C.F.R. §1.64 (see Exhibit A).

The last known address at which each non-signing inventor customarily receives mail is provided below:

Mr. Carlos Arteaga  
4350 Old Oak Trace  
Cumming, Georgia 30041

Mr. Marcos Mendez  
6620 Misty Lane  
Cumming, Georgia 30040

Mr. Alberto Diaz  
10535 Haynes Forest Drive  
Alpharetta, Georgia 30022

Mr. Kipchoge Fergusson  
3789 Market Crescent  
Clarkston, Georgia 30021

The facts in this case are as follows:

The above-identified application was filed on July 22, 2003 as a continuation-in-part of U.S. Patent Application No. 09/769,777, filed January 25, 2001 ("the parent application"), and claims the benefit of priority of a provisional patent application, U.S. Patent Application No. 60/399,440, filed July 29, 2002 ("the provisional application"). All of Messrs. Arteaga's, Mendez's, Diaz's, and Fergusson's (hereinafter collectively referred to as "the non-signing inventors") invention rights in this application, including rights in the parent application and the provisional application, as shown in the attached assignment records of the parent and provisional applications in which they are inventors, have been assigned to Petitioner Abaco, Inc. (see Exhibit B).

The non-signing inventors are prior employees of the Petitioner. On May 18, 2004, Rene Lorenzo, Chief Financial Officer of Petitioner Abaco, Inc., reported the last known mailing addresses of the non-signing inventors to be the addresses provided above (see Exhibit C). Based on this contact information, Petitioners sent letters on May 18, 2003 to each of the non-signing inventors at their reported last known mailing addresses via Federal Express notifying them of the patent application. Each correspondence included a copy of the above-identified

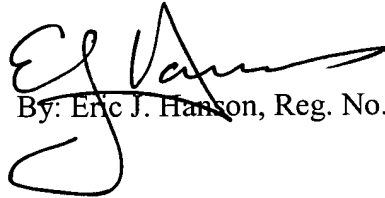
application as filed and the required declaration (see Exhibit D1). The cover letter requested that each non-signing inventor review the above-identified application and return the executed declaration as soon as possible (see Exhibit D1). Federal Express confirms that these requests were received on either May 19<sup>th</sup> and 20<sup>th</sup> by each of the non-signing inventors (see Exhibit D2). No reply has been received from any non-signing inventor.

A search of the current online AnyWho White Pages in Georgia reveals listings for each of the non-signing inventors that correspond to the last known mailing addresses provided by Mr. Lorenzo (see Exhibit E). Accordingly, it may be seen that Petitioner has attempted to reach each of the non-signing inventors at their respective last known address, that a copy of the subject patent application was received at their respective address, that Petitioner has no basis to believe that the last known mailing addresses are incorrect, and that Petitioner has therefore made all reasonable efforts in an attempt to obtain review of the application and execution of the declaration by the non-signing inventors.

Petitioner respectfully submits that the above-stated facts establish proof that the non-signing inventors cannot be found or reached after diligent effort as required by 37 C.F.R. § 1.47(a) (and MPEP §409.03(d)). Moreover, Petitioner respectfully notes that upon the granting of this petition, if the non-signing inventors are subsequently located or make contact with the Petitioner, they may join in the above-identified application per 35 U.S.C. §116 and 37 C.F.R. § 1.47(a).

Accordingly, Petitioner respectfully requests the granting of this petition to accord the above-identified application status under 37 C.F.R. §1.47.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric J. Hanson", with a large, stylized flourish at the end.

By: Eric J. Hanson, Reg. No. 44,738

Dated: May 24, 2004

SMITH, GAMBRELL & RUSSELL, LLP  
Suite 3100, Promenade II  
1230 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3592  
Ph: (404) 815-3706  
Fax: (404) 685-7006

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☒ Declaration  
Submitted With Initial  
Filing OR  
☐ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number 040922.006

First Named Inventor ARTEAGA, Carlos et al.

**COMPLETE IF KNOWN**

Application Number To Be Assigned/

Filing Date Concurrent Herewith

Art Unit To Be Assigned

Examiner Name To Be Assigned

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR TRANSFER, CONTROL, AND SYNCHRONIZATION OF  
DATA

the specification of which (Title of the Invention)

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:		<input checked="" type="checkbox"/> Customer Number or Bar Code Label		25,481		OR		<input type="checkbox"/> Correspondence address below	
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Address									
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Country				Telephone			Fax		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.									
NAME OF SOLE OR FIRST INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))				Carlos			Family Name or Surname		
							ARTEAGA		
Inventor's Signature						Date			
Residence: City				State		Country		Citizenship	
CUMMING				GA		USA			
Mailing Address									
4350 OLD OAK TRACE									
City				State		Zip		Country	
CUMMING				GA		USA		USA	
NAME OF SECOND INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))				Marcos			Family Name or Surname		
							MENDEZ		
Inventor's Signature						Date			
Residence: City				State		Country		Citizenship	
CUMMING				GA		USA			
Mailing Address									
6620 MISTY LANE									
City				State		Zip		Country	
CUMMING				GA		30040		USA	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.									



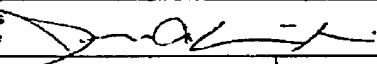


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**DECLARATION****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**

Page 1 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Jose A.		MENDEZ	
Inventor's Signature 		Date 4/22/04	
Residence: City	State	Country	Citizenship
SAN JUAN	PR	USA	USA
Mailing Address 121 COSTA RICA ST			
Mailing Address APT 103 COND. E1 BILBAO			
City	State	ZIP	Country
SAN JUAN	PR	00917	US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Alberto		DIAZ	
Inventor's Signature 		Date	
Residence: City	State	Country	Citizenship
Alpharetta	GA	USA	
Mailing Address 10535 Haynes Forest Dr.			
Mailing Address			
City	State	Zip	Country
Alpharetta	GA	30022	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Kipchoge		FERGUSON	
Inventor's Signature 		Date	
Residence: City	State	Country	Citizenship
Clarkston	GA	USA	
Mailing Address 3789 Market Crescent			
Mailing Address			
City	State	Zip	Country
Clarkston	GA	30021	USA

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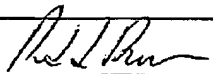
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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S) Supplemental Sheet</b>
Page 2 of 2	

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Pedro		RIVERA	
Inventor's Signature 		Date 4/22/04	
Residence: City	State	Country	Citizenship
SAN JUAN	PR	USA	USA
Mailing Address			
URB. MONTERREY			
Mailing Address			
250 HIMALAYA			
City	State	ZIP	Country
SAN JUAN	PR	00926	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

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DECEMBER 20, 2002

ERIC J. HANSON  
PROMENADE II, SUITE 3100  
1230 PEACHTREE STREET  
ATLANTA, GA 30309

PTAS

DEC 30 2002

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
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RECORDATION DATE: 09/18/2002

REEL/FRAME: 013307/0650  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ARTEGA, CARLOS

DOC DATE: 08/15/2002

ASSIGNOR:

MENDEZ, MARCOS

DOC DATE: 08/15/2002

ASSIGNOR:

MENDEZ, JOSE A.

DOC DATE: 08/21/2002

ASSIGNOR:

FERGUSON, KIPOHOGE

DOC DATE: 08/15/2002

ASSIGNOR:

DIAZ, ALBERTO

DOC DATE: 08/19/2002

ASSIGNOR:

RIVERA, PEDRO

DOC DATE: 08/21/2002

SGR-IP  
DOCKETED  
12/31/02 kg

013307/0650 PAGE 2

ASSIGNEE:

ABACO, INC.  
1100 NORTHMEADOW PARKWAY  
SUITE 150  
ROSWELL, GEORGIA 30076

SERIAL NUMBER: 60399440  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

09-24-2002

Tab settings ⇐ ⇐ ⇐

SEP 18 2002



102231798

Copies or copy thereof.

To the Honorable Commissioner of Patents and Trademarks

## 1. Name of conveying party(ies):

Carlos Arteaga  
Marcos Mendez  
Jose A. Mendez  
Kipchoge FergussonAlberto Diaz  
Pedro Rivera

9-18-02

Additional name of conveying party(ies) attached? ☐ Yes ☐ No

## 2. Name and address of receiving party(ies)

Name: Abaco, Inc

Internal Address: Suite 150

Street Address: 1100 Northmeadow Parkway

City: Roswell State: GA Zip: 30076

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other \_\_\_\_\_

Execution Date: 8/15/02, 8/15/02, 8/21/02, 8/15/02, 8/19/02, 8/21/02

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution data of the application is: \_\_\_\_\_

A. Patent Application No.(s)

60/399,440

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Eric J. Hanson

Internal Address: Promenade II, Suite 3100

Street Address: 1230 Peachtree St.

City: Atlanta State: GA Zip: 30309

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) . . . . . \$ 40.00

- ☒ Enclosed
- ☐ Authorized to be charged to deposit account

## 8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Eric J. Hanson

Name of Person Signing

Signature

Date

9/13/02

4/23/2002 DBYRME 00000033 60399440 Total number of pages including cover sheet, attachments, and documents: 3

FC:581

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

**ASSIGNMENT**

This Assignment agreement is applicable to an invention entitled **SYSTEM AND METHOD FOR TRANSFER, CONTROL, AND SYNCHRONIZATION OF DATA**

The PATENT RIGHTS referred to in this agreement are:

- (check one) ☐ a patent application about to be filed in the United States Patent and Trademark Office.
- ☐ a patent application for this invention, executed by the ASSIGNOR(S) concurrently with this assignment.
- ☒ U.S. Patent Application No. \_\_\_\_\_, filed **July 29, 2002**
- ☐ a U.S. patent application based on PCT International Application No. \_\_\_\_\_ filed on (date) \_\_\_\_\_ (U.S. patent application Serial No. \_\_\_\_\_, if known).
- ☐ U.S. patent No. \_\_\_\_\_, issued \_\_\_\_\_.

The PATENT RIGHTS also include all non-provisionals, divisions, reissues, continuations and extensions of the patent application identified above.

The PATENT RIGHTS assigned under this agreement are:

- (check one) ☐ U.S. patent rights only.
- ☒ Worldwide patent rights. In this case, the assignee shall have the right to claim the benefit of the filing date of any U.S. or foreign patent application for this invention.

The ASSIGNOR(S) referred to in this agreement is/are the inventor(s) whose signature(s) appears on page 2 of this Assignment.

The ASSIGNEE referred to in this agreement is:

(Name of Assignee) **Abaco, Inc.**

(Address) **1100 Northmeadow Parkway, Suite 150, Roswell, Georgia 30076**

The ASSIGNEE is:

- (check one) ☐ An Individual.
- ☐ A Partnership.
- ☒ A Corporation of **Delaware** (specify state or country)
- ☐ (other) \_\_\_\_\_

The ASSIGNOR(S), in consideration of \$10.00 paid by the ASSIGNEE, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby assign(s) the following rights to the ASSIGNEE, its successors and assigns:

the full and exclusive right to the invention;  
the entire right, title and interest in and to the PATENT RIGHTS;  
the right to sue and recover for any past infringement; and,  
the right to claim priority under 35 USC 119, 35 USC 120, or any other applicable provisions, based on any earlier patent applications for this invention.

As to all U.S. patent applications assigned under this agreement, the ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue

all Letters Patent to the ASSIGNEE as the assignee of the entire right, title and interest, for the sole use and enjoyment of said ASSIGNEE, its successors and assigns.

Further, the ASSIGNOR(S) agree(s) to communicate to said ASSIGNEE, or its representatives, any facts known to the ASSIGNOR(S) respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, substitute, renewal, reexamination and reissue applications, execute all necessary assignment papers to cause any and all Letters Patent to be issued to said ASSIGNEE, make all rightful oaths and generally do everything necessary or desirable to aid said ASSIGNEE, its successors and assigns, to obtain and enforce proper protection for said invention.

The ASSIGNOR(S) authorize(s) any attorneys and agents who have a power of attorney in this application to check any appropriate boxes and to insert the Application Number and filing date in this document after it has been executed.

Carlos Arteaga  
Name of Inventor #1

C. Arteaga  
Signature

8/15/2002  
Date

Marcos Mendez  
Name of Inventor #2

Marcos Mendez  
Signature

8/15/02  
Date

Jose A. Mendez  
Name of Inventor #3

Jose A. Mendez  
Signature

8/21/02  
Date

Kipchoge Fergusson  
Name of Inventor #4

Kipchoge Fergusson  
Signature

08/15/2002  
Date

Alberto Diaz  
Name of Inventor #5

Alberto Diaz  
Signature

08/19/2002  
Date

Pedro Rivera  
Name of Inventor #6

Pedro Rivera  
Signature

8/21/2002  
Date

SEP 18 2002

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	60/399,440
Filing Date	July 29, 2002
First Named Inventor	Carlos Arteaga, et al.
Group Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	040922.006

Total Number of Pages in This Submission

4

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☒ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
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Return Receipt Postcard**

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual name

Eric J. Hanson, Reg. No. 44,738

Signature

Date

9/13/02

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 9/13/2002

Typed or printed name

Mary Martha Adkins

Signature

Date

9/13/2002

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## PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

ARTEAGA, Carlos  
FERGUSON, Kip  
PAINTER, Jamie  
ORTIZ, RobertAdditional name of conveying party(ies) attached? ☒ Yes ☐ No

## 2. Name and address of receiving party(ies)

Name: Abaco PR, Inc.Internal Address: Suite 150Street Address: 1100 Northmeadow ParkwayCity: Roswell State: GA Zip: 30076Additional Name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date:

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution data of the application is:

A. Patent Application No.(s)

09/769,777

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Eric J. HansonInternal Address: Suite 3100, Promenade IIStreet Address: 1230 Peachtree Street, N.E.City: Atlanta State: GA Zip: 303096. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) . . . . . \$ 40☒ Enclosed☐ Authorized to be charged to deposit account

## 8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Eric J. Hanson, Reg. No. 44,738

Name of Person Signing

Signature

June 6, 2001

Date

Total number of pages including cover sheet, attachments, and documents: 4

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Washington, D.C. 20231

## **RECORDATION FORM COVER SHEET**

Continuation of Item 1:

Name of conveying party(ies):

MENDEZ, Josean

ESTEFANIA, Jose Carlos

RIVERA, Pedro

JIMENEZ, Charlie

**ASSIGNMENT**

This Assignment agreement is applicable to an invention entitled **SYSTEM AND METHOD FOR REMOTE COMMUNICATION TRANSACTIONS.**

The PATENT RIGHTS referred to in this agreement are:

- (check one) ☐ a patent application about to be filed in the United States Patent and Trademark Office.
- ☐ a patent application for this invention, executed by the ASSIGNOR(S) concurrently with this assignment.
- ☒ U.S. Patent Application No. 09/769,777, filed January 25, 2001.
- ☐ a U.S. patent application based on PCT International Application No. \_\_\_\_\_ filed on (date) \_\_\_\_\_ (U.S. patent application Serial No. \_\_\_\_\_, if known).
- ☐ U.S. patent No. \_\_\_\_\_, issued \_\_\_\_\_.

The PATENT RIGHTS also include all non-provisionals, divisions, reissues, continuations and extensions of the patent application identified above.

The PATENT RIGHTS assigned under this agreement are:

- (check one) ☐ U.S. patent rights only.
- ☒ Worldwide patent rights. In this case, the assignee shall have the right to claim the benefit of the filing date of any U.S. or foreign patent application for this invention.

The ASSIGNOR(S) referred to in this agreement is/are the inventor(s) whose signature(s) appears on page 2 of this Assignment.

The ASSIGNEE referred to in this agreement is:

(Name of Assignee) **Abaco PR, Inc.**

(Address) **1100 Northmeadow Parkway, Suite 150, Roswell, Georgia 30076**

The ASSIGNEE is:

- (check one) ☐ An Individual.
- ☐ A Partnership.
- ☒ A Corporation of **Puerto Rico** (specify state or country)
- ☐ (other) \_\_\_\_\_

The ASSIGNOR(S), in consideration of \$10.00 paid by the ASSIGNEE, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby assign(s) the following rights to the ASSIGNEE, its successors and assigns:

the full and exclusive right to the invention;  
the entire right, title and interest in and to the PATENT RIGHTS;  
the right to sue and recover for any past infringement; and,  
the right to claim priority under 35 USC 119, 35 USC 120, or any other applicable provisions, based on any earlier patent applications for this invention.

THIS IS PAGE 2 OF AN ASSIGNMENT FROM THE INVENTOR TO

ASSIGNEE: Abaco PR, Inc.

INVENTION TITLE: SYSTEM AND METHOD FOR REMOTE COMMUNICATION TRANSACTIONS.

As to all U.S. patent applications assigned under this agreement, the ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all Letters Patent to the ASSIGNEE as the assignee of the entire right, title and interest, for the sole use and enjoyment of said ASSIGNEE, its successors and assigns.

Further, the ASSIGNOR(S) agree(s) to communicate to said ASSIGNEE, or its representatives, any facts known to the ASSIGNOR(S) respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, substitute, renewal, reexamination and reissue applications, execute all necessary assignment papers to cause any and all Letters Patent to be issued to said ASSIGNEE, make all rightful oaths and generally do everything necessary or desirable to aid said ASSIGNEE, its successors and assigns, to obtain and enforce proper protection for said invention.

The ASSIGNOR(S) authorize(s) any attorneys and agents who have a power of attorney in this application to check any appropriate boxes and to insert the Application Number and filing date in this document after it has been executed.

<u>Carlos Arteaga</u> Name of Inventor #1	<u>C. Arteaga.</u> Signature	<u>4/05/2001.</u> Date
<u>Kip Fergusson</u> Name of Inventor #2	<u>K.K. Fergusson</u> Signature	<u>4/05/2001</u> Date
<u>Jamie Painter</u> Name of Inventor #3	<u>Jamie Painter</u> Signature	<u>04/05/2001</u> Date
<u>Robert Ortiz</u> Name of Inventor #4	<u>Robert Ortiz</u> Signature	<u>3/12/2001</u> Date
<u>Josean Mendez</u> Name of Inventor #5	<u>Josean Mendez</u> Signature	<u>3/9/2001</u> Date
<u>Jose Carlos Estefania</u> Name of Inventor #6	<u>Jose Carlos Estefania</u> Signature	<u>5/25/2001</u> Date
<u>Pedro Rivera</u> Name of Inventor #7	<u>Pedro Rivera</u> Signature	<u>3-9-2001</u> Date
<u>Charlie Jimenez</u> Name of Inventor #8	<u>Charlie Jimenez</u> Signature	<u>3-9-2001</u> Date



**DATE:** May 17, 2004

**TO:** Eric J. Hanson  
Smith, Gambrell & Russell, LLP  
Suite 3100, Promenade II  
1230 Peachtree Street, N.E.  
Atlanta, GA 30309-3592  
404.815.3706  
404.685.7006 (fax)  
ehanson@sgrlaw.com

**FROM:** Rene R. Lorenzo  
Abaco, Inc.  
Phone: 305 992 4796

**Rene R Lorenzo**

---

**From:** "Frank Rodriguez" <frodriguez@abacomobile.com>  
**To:** <Rlorenzo@abacomobile.com>  
**Sent:** Tuesday, May 18, 2004 10:23 AM  
**Subject:** Address'

Carlos Arteaga  
4350 Old Oak Trace  
Cumming GA 30041

①

lambda

Marcos Méndez  
6620 Misty Lane  
Cumming GA 30040

②

abaw

pr

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Alberto Diaz  
10535 Haynes Forest Drive  
Alpharetta GA 30022

③

Kipchoge Fergusson  
3789 Market Crescent  
Clarkston GA 30021

④

Jose A Mendez  
121 Costa Rica Street  
Apt 103 Cond. El Bilbao  
San Juan PR 00917

Pedro Rivera  
Urb. Monterey  
250 Himalaya  
San Juan PR 00926

---

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Eric J. Hanson  
Ph: (404) 815-3706  
Fax: (404) 685-7006  
E-Mail: [ehanson@sgrlaw.com](mailto:ehanson@sgrlaw.com)

May 18, 2004

**Via Federal Express**

Mr. Alberto Diaz  
10535 Haynes Forest Drive  
Alpharetta, GA 30022

**URGENT ATTENTION REQUESTED**

Re: U.S. Patent Application No. 10/624,939 filed July 22, 2003 (based on U.S. Provisional Patent Application No. 60/399,440 filed July 29, 2002)  
Entitled: "SYSTEM AND METHOD FOR TRANSFER, CONTROL, AND SYNCHRONIZATION OF DATA"  
Our Ref: 049225.008

Dear Mr. Diaz:

This firm is counsel to Abaco, Inc. (the "Company"), the assignee of all patent rights in the above-referenced patent application.

Pursuant to United States Patent and Trademark Office (PTO) requirements that individual inventors execute an oath or declaration that they have reviewed any patent application for which that individual is an inventor, and your prior agreement to assist the Company as necessary in the prosecution of its rights in the invention (copy enclosed), we are enclosing a compact disk containing a copy of the patent application that the Company filed with the PTO on July 22, 2003 that includes claims in which you have been identified as an inventor.

We have also enclosed a Declaration for your execution after you have reviewed the application. Please insert all required information, sign and date the Declaration as indicated by the "SIGN HERE" tab, then return the original to us for filing with the PTO. We respectfully request that you review the enclosed application and return the executed Declaration as soon as possible to avoid delays that may irreparably prejudice earlier acquisition of such rights.

LIT/862996.1

Mr. Alberto Diaz

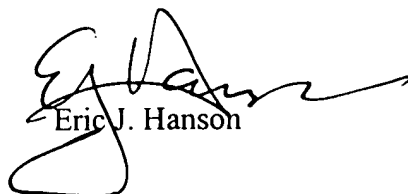
May 18, 2004

Page 2

Thank you for your cooperation in this matter, and please contact us if you have any questions regarding this matter.

Yours very truly,

SMITH, GAMBRELL & RUSSELL, LLP



Eric J. Hanson

EJH/CSN/tg

Enclosures

cc: Mr. Rene Lorenzo  
Abaco, Inc.  
6430 S.W. 159<sup>th</sup> Place  
Miami, Florida 33193



**SMITH, GAMBRELL & RUSSELL, LLP**

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Eric J. Hanson  
Ph: (404) 815-3706  
Fax: (404) 685-7006  
E-Mail: [ehanson@sgrlaw.com](mailto:ehanson@sgrlaw.com)

May 18, 2004

**Via Federal Express**

Mr. Kipchoge Ferguson  
3789 Market Crescent  
Clarkston, GA 30021

**URGENT ATTENTION REQUESTED**

Re: U.S. Patent Application No. 10/624,939 filed July 22, 2003 (based on U.S. Provisional Patent Application No. 60/399,440 filed July 29, 2002)  
Entitled: "SYSTEM AND METHOD FOR TRANSFER, CONTROL, AND SYNCHRONIZATION OF DATA"  
Our Ref: 049225.008

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Pursuant to United States Patent and Trademark Office (PTO) requirements that individual inventors execute an oath or declaration that they have reviewed any patent application for which that individual is an inventor, and your prior agreement to assist the Company as necessary in the prosecution of its rights in the invention (copy enclosed), we are enclosing a compact disk containing a copy of the patent application that the Company filed with the PTO on July 22, 2003 that includes claims in which you have been identified as an inventor.

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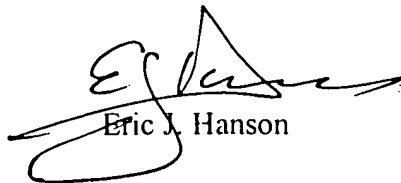
LIT/862997.1

Mr. Kipchoge Ferguson  
May 18, 2004  
Page 2

Thank you for your cooperation in this matter, and please contact us if you have any questions regarding this matter.

Yours very truly,

SMITH, GAMBRELL & RUSSELL, LLP



Eric J. Hanson

EJH/CSN/tg  
Enclosures

cc: Mr. Rene Lorenzo  
Abaco, Inc.  
6430 S.W. 159<sup>th</sup> Place  
Miami, Florida 33193

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E-Mail: [ehanson@sgrlaw.com](mailto:ehanson@sgrlaw.com)

May 18, 2004

**Via Federal Express**

Mr. Marcos Mendez  
6620 Misty Lane  
Cumming, GA 30040

**URGENT ATTENTION REQUESTED**

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Our Ref: 049225.008

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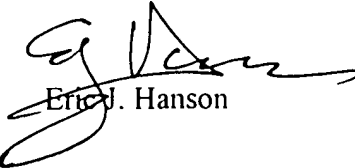
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Mr. Marcos Mendez  
May 18, 2004  
Page 2

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Yours very truly,

SMITH, GAMBRELL & RUSSELL, LLP



Eric J. Hanson

EJH/CSN/tg  
Enclosures

cc: Mr. Rene Lorenzo  
Abaco, Inc.  
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Miami, Florida 33193

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May 18, 2004

**Via Federal Express**

Mr. Carlos Arteaga  
4350 Old Oak Trace  
Cumming, GA 30041

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Mr. Carlos Arteaga

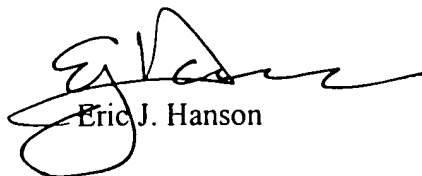
May 18, 2004

Page 2

Thank you for your cooperation in this matter, and please contact us if you have any questions regarding this matter.

Yours very truly,

SMITH, GAMBRELL & RUSSELL, LLP

A handwritten signature in black ink, appearing to read "Eric J. Hanson", is written over the printed name.

EJH/CSN/tg

Enclosures

cc: Mr. Rene Lorenzo  
Abaco, Inc.  
6430 S.W. 159<sup>th</sup> Place  
Miami, Florida 33193

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**Ship date** May 18, 2004  
**Delivery date/time** May 19, 2004 12:07 pm

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**Tracking number** 605814956438  
**Signed for by** A. DIAZ  
**Ship date** May 18, 2004  
**Delivery date/time** May 19, 2004 12:36 pm

**Reference number** 040922.008  
**Delivered to** Recipient  
**Delivery location** ALPHARETTA GA  
**Service type** Standard Envelope

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Date/time	Status	Location	Comments
<b>May 19, 2004</b>	12:36 pm <b>Delivered</b>	ALPHARETTA GA	No signature required - release waiver on file
	12:36 pm Delivered	ALPHARETTA GA	No signature required - release waiver on file
	7:59 am On FedEx vehicle for delivery	ALPHARETTA GA	
	7:13 am Arrived at FedEx Destination Location	ALPHARETTA GA	
<b>May 18, 2004</b>	5:18 am Left FedEx Ramp	HAPEVILLE GA	
	9:44 pm Arrived at FedEx Ramp	ATLANTA GA	
	9:19 pm Left FedEx Origin Location	ATLANTA GA	
	5:53 pm Picked up by FedEx	ATLANTA GA	

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**Tracking number** 605814956449  
**Signed for by** 14730929  
**Ship date** May 18, 2004  
**Delivery date/time** May 19, 2004 10:23 am

**Reference number** 040922.008  
**Delivered to** Recipient  
**Delivery location** CUMMING GA  
**Service type** Standard Envelope

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Date/time	Status	Location	Comments
<b>May 19, 2004</b>	10:23 am <b>Delivered</b>	CUMMING GA	No signature required - release waiver on file
	10:23 am Delivered	CUMMING GA	No signature required - release waiver on file
	8:05 am On FedEx vehicle for delivery	ALPHARETTA GA	
<b>May 18, 2004</b>	7:28 am Arrived at FedEx Destination Location	ALPHARETTA GA	
	9:44 pm Arrived at FedEx Ramp	ATLANTA GA	
	9:19 pm Left FedEx Origin Location	ATLANTA GA	
	5:53 pm Picked up by FedEx	ATLANTA GA	

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**Tracking number** 605814956427  
**Signed for by** C.FERGUSON  
**Ship date** May 18, 2004  
**Delivery date/time** May 20, 2004 2:44 pm

**Reference number** 040922.008  
**Delivered to** Recipient  
**Delivery location** CLARKSTON GA  
**Service type** Standard Envelope

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Date/time	Status	Location	Comments
<b>May 20, 2004</b>	2:44 pm <b>Delivered</b>	CLARKSTON GA	
	2:44 pm On FedEx vehicle for delivery	DECATUR GA	
	7:29 am On FedEx vehicle for delivery	DECATUR GA	
<b>May 19, 2004</b>	6:26 pm Package status	DECATUR GA	
	2:48 pm Delivery attempt	CLARKSTON GA	Package in FedEx location
	2:47 pm On FedEx vehicle for delivery	DECATUR GA	Customer not available or Business closed
	7:40 am On FedEx vehicle for delivery	DECATUR GA	
	7:06 am Arrived at FedEx Destination Location	DECATUR GA	
<b>May 18, 2004</b>	6:47 am Left FedEx Ramp	HAPEVILLE GA	
	9:44 pm Arrived at FedEx Ramp	ATLANTA GA	
	9:19 pm Left FedEx Origin Location	ATLANTA GA	
	5:53 pm Picked up by FedEx	ATLANTA GA	

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## FIND A PERSON

Last Name <i>Required</i>	First Name	Street
<input type="text" value="arteaga"/>	<input type="text" value="carlos"/>	<input type="text"/>
TIP: Try the 1st 4 letters	TIP: Try just the 1st letter	TIP: Don't include St, Ave, etc
City	State	Zip
<input type="text"/>	<input type="text" value="GA"/>	<input type="text"/>
<input type="button" value="SEARCH"/>		

**You searched for:** carlos arteaga in GA  
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### Residential Listings

#### Arteaga, Rebeca & Carlos

4350 Old Oak Trce  
CUMMING, GA 30041

**678-947-3803**

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## FIND A PERSON

Last Name *Required*


TIP: Try the 1st 4 letters

First Name

TIP: Try just the 1st letter

Street

TIP: Don't include St, Ave, etc

City

State

Zip



You searched for: alberto diaz in GA

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### Residential Listings

#### Diaz, Alberto

10535 Haynes Forest Dr  
ALPHARETTA, GA 30022

678-319-9499

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#### Diaz, Alberto

2185 Capehart Circle NE  
ATLANTA, GA 30345

404-321-3853

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#### Diaz, Alberto

10134 Henderson Dr  
COVINGTON, GA 30014

770-788-9268

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#### Diaz, Alberto

902 Hiram Davis Rd  
LAWRENCEVILLE, GA 30045

770-236-8247

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## FIND A PERSON

Last Name <i>Required</i>	First Name	Street
<input type="text" value="mendez"/>	<input type="text" value="marcos"/>	<input type="text"/>
TIP: Try the 1st 4 letters	TIP: Try just the 1st letter	TIP: Don't include St, Ave, etc
City	State	Zip
<input type="text"/>	<input type="text" value="GA"/> <input type="checkbox"/>	<input type="text"/>
<b>SEARCH</b>		

**You searched for:** marcos mendez in GA  
**Results 1 - 2 of 2**

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### Residential Listings

#### Mendez, Marcos

3160 Buford Hwy NE  
ATLANTA, GA 30329

**404-636-6190**

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[Marcos Mendez is in Our Database! Click Here](#)

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#### Mendez, Marcos R

6620 Misty Lane  
CUMMING, GA 30040

**678-513-6039**

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## FIND A PERSON

Last Name <i>Required</i>	First Name	Street
<input type="text" value="fergusson"/>	<input type="text" value="k"/>	<input type="text"/>
TIP: Try the 1st 4 letters	TIP: Try just the 1st letter	TIP: Don't include St, Ave, etc
City	State	Zip
<input type="text"/>	<input type="text" value="GA"/> <input type="button" value="SEARCH"/>	<input type="text"/>

You searched for: k fergusson in GA

Results 1 - 1 of 1 [k fergusson Public Records Search!](#)

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### Fergusson, K

3789 Market Crescent  
CLARKSTON, GA 30021

404-297-6713

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